

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

COMPETITIVE PRODUCT PRICES  
GLOBAL EXPEDITED PACKAGE SERVICES 3 (MC2010-28)  
NEGOTIATED SERVICE AGREEMENTS

Docket No.  
CP2012-34

**MOTION OF THE UNITED STATES POSTAL SERVICE FOR TEMPORARY RELIEF  
AND NOTICE OF THE UNITED STATES POSTAL SERVICE OF FILING  
MODIFICATION TWO TO A GLOBAL EXPEDITED PACKAGE SERVICES 3  
NEGOTIATED SERVICE AGREEMENT**  
(July 22, 2013)

The agreement that is the subject of this docket was originally scheduled to expire on July 11, 2013.<sup>1</sup> On June 28, 2013, the Postal Regulatory Commission (Commission) issued Order No. 1769, granting the Postal Service's motion to allow the agreement that is the subject of this docket to continue until July 31, 2013.<sup>2</sup>

The Postal Service intended to file a successor contract to the agreement that is the subject of this docket with ample time for the Commission to complete its 15-day review by July 31, 2013. Although the Postal Service took steps to avoid any interruption in its ability to provide the customer access to negotiated rates, the Parties have not been able to execute the successor contract yet.

Attached to this notice is a modification that the customer and the Postal Service have executed.<sup>3</sup> The modification states that the agreement that is the subject of this docket will expire on August 16, 2013.

<sup>1</sup> United States Postal Service Response to Order No. 1390 concerning Effective Dates of a Global Expedited Package Services 3 Negotiated Service Agreement, Docket No. CP2012-34, July 10, 2012.

<sup>2</sup> PRC Order No. 1769, Order Granting Motion for Temporary Relief and Approving Corresponding Modification of Existing Agreement, Docket No. CP2012-34, June 28, 2013.

<sup>3</sup> A redacted version of the modification is filed publicly as Attachment 1, while the unredacted version of the modification is filed under seal. With respect to the nonpublic version of the modification that is filed

The Postal Service intends to initiate a new rate docket, in which the Postal Service would file the successor to the agreement that is the subject of this docket. In the meantime, however, the Postal Service requests that the Commission continue to list the agreement that is the subject of this docket on the Mail Classification Schedule, according to the terms set forth in the modification filed today.

Therefore, the Postal Service respectfully requests that the Commission approve a brief extension of the agreement that is the subject of this docket to maintain continuity of pricing and other terms and conditions of the agreement. The Postal Service requests that the existing terms and conditions under the agreement that is the subject of this docket be extended to August 16, 2013.

Respectfully submitted,

UNITED STATES POSTAL SERVICE  
By its attorneys:

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July 22, 2013

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under seal, the Postal Service hereby incorporates its Application for Non-Public Treatment filed in conjunction with its June 21, 2012 notice in this docket. Notice of United States Postal Service of Filing a Functionally Equivalent Global Expedited Package Services 3 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal, Docket No. CP2012-34, June 21, 2012, Attachment 4.

**MODIFICATION TWO TO THE  
GLOBAL CUSTOMIZED MAIL AGREEMENT BETWEEN  
THE UNITED STATES POSTAL SERVICE AND  
[REDACTED]**

This Modification amends the Global Customized Mail Agreement ("Agreement") between [REDACTED] ("Mailer") with offices at [REDACTED] and the United States Postal Service ("USPS"), an independent establishment of the Executive Branch of the United States Government, with offices at 475 L'Enfant Plaza SW, Washington, DC 20260-9998, signed by the Mailer on June 7, 2012, and signed by the USPS on June 12, 2012, as modified by Modification One to the Agreement signed by the Mailer on June 25, 2013, and by the USPS on June 26, 2013. The Mailer and the USPS may be referred to individually as a "Party" and together as the "Parties."

The purpose of this Modification is to change the wording of Article 12, Term Of The Agreement. Article 12, Term Of The Agreement shall now read as follows:

**ARTICLE 12. TERM OF THE AGREEMENT**

1. The USPS will notify the Mailer of the Effective Date of the Agreement within thirty (30) days after receiving the approval of the entities that have oversight responsibilities for the USPS. The Agreement will remain in effect until 11:59 p.m. on August 16, 2013, unless terminated sooner pursuant to Article 13 or Article 17.
2. The USPS shall have no obligation to notify the Mailer of the status of the approval process or of potential fulfillment of the approval process.

All other terms and conditions of the Agreement shall remain in force.

The Mailer acknowledges that the Modification and supporting documentation will be filed with the Postal Regulatory Commission ("Commission") in a docketed proceeding (CP2012-34). The Mailer authorizes the USPS to determine the scope of information that must be made publicly available in any Commission docketed proceeding in which information related to this Modification must be filed. The Mailer further understands that any unredacted portion of the Modification or supporting information will be available on the Commission's public website, <http://www.prc.gov>. In addition, the USPS may be required to file information in connection with this instrument (including revenue, cost or volume data) in other Commission dockets, including Commission docket numbers ACR2012 and ACR2013. The Mailer has the right, in accordance with the Commission's rules, to address its confidentiality concerns directly with the Commission. The procedure for making an application to the Commission for non-public treatment of materials believed to be protected from disclosure is found at Title 39, Code of Federal Regulations, Section 3007.22 found on the Commission's website, <http://www.prc.gov/Docs/63/63467/Order225.pdf>.

The Parties may execute this Modification in one or more counterparts (including by facsimile or by electronic means such as .pdf format). Not all Parties need be signatories to the same document. All counterpart signed documents shall be deemed an original and one instrument.

In witness whereof, this Modification is deemed executed on the latter of the two dates accompanying the Parties' signatures.

**ON BEHALF OF THE UNITED STATES POSTAL SERVICE:**

Signature:

Frank A. Cebello

Name:

Frank A. Cebello

Title:

Executive Director, Global Business Management

Date

7/18/13

**ON BEHALF OF**

Signature:

Name:

Title:

Date:

7/18/13